

REMARKS/ARGUMENTS

After amendment, the pending claims are 2-14, 24-27, and 29-34. Claims 1 and 28 have been canceled, without prejudice, in an effort to place the application in condition for allowance. Applicants reserve the right to prosecute these claims, as well as previously canceled claims 15-23, in a continuation and/or divisional application filed during the pendency of the present application.

New claims 29-34 have been added to clarify the invention and do not add new matter. Support for these new claims is found in the original specification and claims as filed.

The claims were amended to place the application in condition for allowance. No new matter is added by these amendments.

Claim Objections

The Examiner has objected to claims 2-6, 8-10, and 25 for being dependent upon a rejected base claim.

The Examiner has asserted that these claims would be found allowable if rewritten in independent form.

Applicants respectfully request reconsideration and withdrawal of this objection for the following reason.

In an effort to place the application in condition for allowance, Applicants have rewritten claims 2, 9, and 25 in independent form. Applicants respectfully assert that these claims are in condition for allowance.

Claims 3-6 and 8 now either directly or indirectly depend from claim 2. Claim 10 similarly depends from claim 9. Claims 7, 11-14, and 26-27 have also been amended to depend from claim 2. In view thereof, claims 3-8, 10-14, and 26-27 and are also in condition for allowance.

Reconsideration of this objection is requested.

Rejection Under § 103(a)

The Examiner has rejected claims 1, 7, 11-14, 24, and 26-28 under 35 USC § 103(a) over Gaddy et al. (US Patent No. 6,340,581) or further in view of Ricker et al (J. Separ. Proc. Technol., 1(1):36-41 (1979)).

The Examiner has asserted that it would have been obvious to one of skill in the art to select the amine for the extraction of acetic acid from the aqueous mixture of Gaddy in view of the teachings of Ricker to obtain the advantages of having a higher equilibrium distribution coefficient.

Applicants respectfully request reconsideration and withdrawal of this rejection for the following reason.

Claims 1 and 28 were canceled, without prejudice, thereby mooting the outstanding rejection as applied to these claims.

Claims 7, 11-14, and 26-27 were amended to depend directly or indirectly from claim 2, thereby mooting the outstanding rejection as applied to these claims.

Claim 24 therefore remains the subject of this rejection.

Gaddy discusses a continuous process for producing acetic acid using a gas substrate that does not contain oxygen. The fermentation reactor contains an aqueous nutrient medium and an anaerobic acetogenic *C. ljungdahlii* bacterium. Gaddy does not teach or suggest the removal of carbon dioxide from the fermentation broth.

Ricker does not add anything to Gaddy to teach removal of carbon dioxide from the fermentation broth. Ricker does not discuss a process for obtaining acetic acid from an aqueous phase. Neither does Ricker discuss distilling acetic acid from any of the phases described therein. Instead, Ricker is only directed to determining if acetic acid may be extracted using the described extractant/diluent compositions.

In view thereof, Gaddy alone or in combination with Ricker does not teach or suggest removal of carbon dioxide from the fermentation broth prior to the extraction step using an amine as recited in claim 24. In fact, neither Gaddy nor Ricker even discuss the removal of any gases from the fermentation broth.

Therefore, Gaddy alone or in combination with Ricker does not teach or suggest Applicants' invention.

Reconsideration of this rejection is requested.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

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